

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARDEN CITY BOXING CLUB, INC.,

Plaintiff,

-against-

THE SPOT BARBER SHOP,

Defendant.

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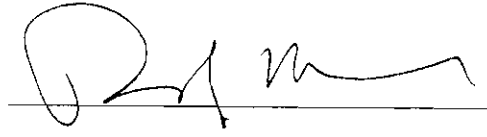
07 Civ. 8075 (RJH)

ORDER

On March 7, 2008 plaintiff made an application for entry of judgment by default and enclosed a proposed default judgment order. On March 12, 2008 this Court inadvertently signed that proposed default judgment order [18]. However, the Court determines that default judgment is not presently appropriate as it does not appear that the Clerk has issued a certificate of default. *See* Fed. R. Civ. P. 55; Local Civil Rule 55.2. Therefore the Court sets aside the default judgment [18] and directs the Clerk of the Court to reopen this case. The Court also directs plaintiff to consult this Court's Individual Practices, and its decision in *J & J Sports Prods. v. Schrader Rest. Corp.*, 485 F. Supp. 2d 422, 424 (S.D.N.Y. 2007) before filing another application for default judgment.

SO ORDERED.

Dated: New York, New York
March 21, 2008

A handwritten signature in black ink, appearing to read 'R. J. Holwell', is written over a horizontal line.

Richard J. Holwell
United States District Judge